



Cabinet Office

## **FINDINGS OF SECOND PERMANENT SECRETARY'S INVESTIGATION INTO ALLEGED GATHERINGS ON GOVERNMENT PREMISES DURING COVID RESTRICTIONS**

25 MAY 2022

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## **FINDINGS OF SECOND PERMANENT SECRETARY'S INVESTIGATION INTO ALLEGED GATHERINGS: REPORT**

1. On 8 December 2021 the Prime Minister asked the Cabinet Secretary to carry out an investigation into allegations reported in the media relating to gatherings in No 10 Downing Street and the Department for Education during November and December 2020.
2. On 17 December 2021 the Cabinet Secretary recused himself from the investigation as a result of allegations concerning an online quiz held by his private office in the Cabinet Office on 17 December 2020 in 70 Whitehall. It was at this point that I was asked to lead this work.
3. The terms of reference for the investigation were published on 9 December 2021. The primary purpose of the investigation was to establish a general understanding of the nature of the gatherings including: attendance; the setting; and the purpose, with reference to adherence to the guidance in place at the time.
4. On 31 January 2022 I published an update (appended to this report and including the detailed terms of reference and the timeline of regulations) which set out the methodology of the investigation; the 16 gatherings within its scope; and a number of limited, general findings. It also confirmed that the Metropolitan Police Service had decided to investigate events on the following dates:
  - 20 May 2020: a gathering in the garden of No 10 Downing Street for No 10 staff;
  - 18 June 2020: a gathering in No 10 Downing Street and the Cabinet Office, 70 Whitehall on the departure of a No 10 official;
  - 19 June 2020: a gathering in the Cabinet room in No 10 Downing Street on the Prime Minister's birthday;
  - 13 November 2020: a gathering in the No 10 Downing Street flat;
  - 13 November 2020: a gathering in No 10 Downing Street on the departure of a special adviser;
  - 17 December 2020: a gathering in Cabinet Office, 70 Whitehall to hold an online Christmas quiz for the Cabinet Secretary's private office;

- 17 December 2020: a gathering in Cabinet Office, 70 Whitehall on the departure of a senior Cabinet Office official and a No 10 official;
- 17 December 2020: a gathering in No 10 Downing Street on the departure of two No 10 officials;
- 18 December 2020: a gathering in No 10 Downing Street ahead of the Christmas break;
- 14 January 2021; a gathering in No 10 Downing Street on the departure of two No 10 officials;
- 16 April 2021; A gathering in No 10 Downing Street on the departure of a senior No 10 official;
- 16 April 2020; gathering in No 10 Downing Street on the departure of another No 10 official.

The Metropolitan Police assessed that the following gatherings did not reach the threshold for criminal investigation:

- 15 May 2020: photograph showing a number of groups in the garden of No 10;
- 27 November 2020: a gathering in No 10 on the departure of a special adviser;
- 10 December 2020: a gathering in the Department for Education ahead of the Christmas break;
- 15 December 2020: a gathering in No 10 for an online Christmas Quiz.

#### **Outcome of the Metropolitan Police investigation**

5. As I said in my 31 January update it was not for me to make a judgment on whether the criminal law had been broken: that is properly a matter for law enforcement bodies. Further to that on 19 May 2022 the Metropolitan Police announced that they had concluded their investigation. They confirmed that they had made 126 referrals for Fixed Penalty Notices (FPNs) to the ACRO Criminal Records Office for breaches of Covid-19 regulations in relation to events on the following eight dates:

- 20 May 2020
- 18 June 2020
- 19 June 2020

- 13 November 2020
  - 17 December 2020
  - 18 December 2020
  - 14 January 2021
  - 16 April 2021
6. They did not specify to whom or in relation to which events those FPNs were issued, nor have they shared that information with me. They did confirm that a total of 83 individuals received FPNs and that some people received more than one. In order to refer for an FPN, officers were required to have a reasonable belief that the individual had committed an offence under the regulations.
  7. The Prime Minister and the Chancellor each confirmed that they had received an FPN in relation to the event on the 19th June 2020. The Cabinet Secretary and Head of the Civil Service confirmed that he has not received an FPN.
  8. Now that the police have concluded their enquiries I am able to set out in more detail, and in line with my terms of reference, my findings with respect to the gatherings within the scope of my investigation.

### **Methodology**

9. My update set out the context and methodology of the investigation. I will not repeat that here other than to add some further detail relevant to the findings in this report.
10. In finalising this report I have continued to take advice, as appropriate from the Treasury Solicitor; Daniel Stiltitz QC; and Christopher Knight of counsel.

### ***Scope***

11. The original scope of the Cabinet Office investigation focused on three gatherings alleged to have taken place in No 10 Downing Street and the Department for Education in November and December 2020. The terms of reference also allowed for the investigation of credible allegations of other gatherings. That led to my team and I investigating a further 13 events reported to have taken place in No 10 and the Cabinet Office during the period of the pandemic.
12. Details of these additional events emerged in a number of ways. In some instances information was proactively provided by the individuals we interviewed and throughout the process people were encouraged and reminded in line with the terms of reference, to provide any relevant information to the

Cabinet Office investigation team. I appreciate the events in question took place some time ago and in very different circumstances. I also accept that memories may have faded and that recollections will differ. I am very grateful to those who sought to provide as much information as possible in what I realise may have been a daunting experience given the public profile of this investigation. It was also unfortunately the case that details of some events only became known to me and my team through reporting in the media. This is disappointing. Given the piecemeal manner in which events were brought to my attention, it is possible that events took place which were not the subject of investigation. However, my general findings and conclusions would equally apply.

#### *Nature of investigation and findings*

13. As I explained in my 31 January update, I did not seek to alter the terms of reference or the approach to the investigation when I took over from the Cabinet Secretary. My task was to establish a general understanding of the nature of the gatherings in scope. This was not intended to be an exhaustive process; nor was its purpose to determine individual wrongdoing or to produce a definitive, line by line narrative of each event. Rather the objective was to establish the broad facts of what took place at these gatherings, taking into account that some took place nearly two years ago.
14. Given the terms of reference, as well as the significant extension to the scope of the investigation, it was not possible to interview all of those who may have attended each of these events, nor was it necessary. As such the investigation focused on speaking with those individuals who were key to understanding whether the alleged events had taken place, and where they had, their nature, purpose and how they came to be organised.
15. In line with that approach what follows is a narrative account of how these events came about and what happened when they took place, as far as I have been able to establish. To support these accounts I have included, wherever appropriate, relevant factual documentary evidence including email invitations; photographs; and communications between staff that help in understanding the nature and purpose of the event, including any preparations which may have taken place.
16. There are of course differences in the level of detail in each of the narratives; the amount of evidence my team and I gathered varied by event. In some cases, we were able to obtain accounts from multiple attendees, as well as documentary material, including email communications, entry and exit logs and photographs. For other events there was less documentary evidence and we were only able to speak with a limited number of individuals. This was most notably the case for those events that we started investigating later in the

process, essentially at the point at which the Metropolitan Police said they would be investigating those same events. This necessarily limited what we were able to establish about those gatherings as it would not have been appropriate to continue with our investigation once the police investigation had commenced. The Metropolitan Police investigation had primacy. I have taken the view that it would not be necessary, appropriate or proportionate to undertake any further investigation work following the conclusion of the work of the Metropolitan Police.

17. At their request, I provided the Metropolitan Police with the material compiled in the course of my investigation relevant to the dates they were investigating. However, to be clear the police investigation was entirely separate from the process I conducted.

#### *Naming*

18. This brings me to the question of names. This has not been easy. It is well established convention that the names of senior civil servants are not routinely withheld in Government disclosures. I have broadly followed this convention here, but given the unique circumstances of this investigation I have decided that naming should be only for the most high-ranking individuals who knew about and/or attended an event, as well as those senior civil servants or special advisers who were significant to the organisation of such gatherings, given their wider responsibility for the leadership and culture of the Departments, subject to some limited exceptions based on personal circumstances. I have determined that the public interest in reporting adequately on the events within the scope of my investigation in accordance with my terms of reference justifies naming senior individuals involved to this limited extent.
19. It does not follow that any of those I have referred to in this report, named or otherwise have received an FPN, or that any inference or assumption can be made about the outcome of the police investigation in any individual case. As I have set out above, I have not been informed by the Metropolitan Police of these matters.

#### *Photographs*

20. My team and I have been provided with photographs of some of the events that took place, some official and others taken on personal devices. I have considered whether any of these should be published. I concluded that the official photographs should be within scope for disclosure only where they are particularly pertinent in helping to understand the nature and purpose of a gathering. I have attached these to this report. I have limited identification of individuals in the photographs to Ministers and the Cabinet Secretary.

### *Record keeping*

21. The Cabinet Office investigation has accumulated a body of material in the course of its work – interviews, photographs and documents – the vast majority of which naturally is not directly used in the narratives below. I have asked the Cabinet Office Knowledge and Information team to be the custodian of this material, together with my own records relating to this work, for preservation in the official record.

### Context

22. The context I set out in my update remains key to this report and findings and for completeness I have repeated that summary here.
23. The outbreak and spread of SARs Covid-19 represented a global public health crisis without parallel in living memory. In the United Kingdom it had a seismic impact on every aspect of life in the country. In response, to help control the spread of the virus and to keep the most vulnerable safe, the UK Government put in place far reaching restrictions on citizens that had direct and material impact on their lives, livelihood and liberties.
24. From 26 March 2020 the law in England required everyone to remain in their homes unless certain, very limited, exemptions applied. Restrictions were temporarily eased over the summer period in 2020 until most remaining national restrictions were removed on 4 July 2020. Restrictions were then reintroduced in gradations in the autumn culminating in the UK Government announcing from 5 November 2020 restrictions on movements and gatherings in England, essentially requiring people to stay at home. Restrictions on gatherings of two or more people applied in London through December 2020 and the first months of 2021. Indoor mixing of two or more households was not permitted again until 17 May 2021.
25. In line with those rules the vast majority of staff in Government Departments worked from home. The Civil Service, along with the rest of the public sector, went to great lengths to reconfigure the provision and delivery of public services and support for businesses almost overnight. Many private sector businesses and other organisations, large and small, all over the UK, were also working hard to deal with the pandemic both in terms of managing their businesses, their livelihoods and those of their employees, as well as providing vital support to the national effort to respond to the virus.
26. A small number of Government officials and special advisers, because of the nature of their jobs directly supporting the Prime Minister and other Ministers,

continued to attend their offices for the purposes of work, as permitted by an exemption under the regulations.

27. In particular, No 10 Downing Street and the Cabinet Office were at the centre of the Government's response to the pandemic. Tight knit groups of officials and advisers worked long hours under difficult conditions in buildings that could not be easily adapted as Covid secure workplaces. No 10 Downing Street and the Cabinet Office in 70 Whitehall are closely interconnected, with staff moving regularly between the two buildings as part of their daily work. The Prime Minister's flat and the Downing Street garden are in close proximity to the offices and serve a dual office and private purpose.
28. Those challenges, however, also applied to key and frontline workers across the country who were working under equally, if not more, demanding conditions, often at risk to their own health. It is important to remember the stringency of the public health regulations in force in England over the relevant periods and that criminal sanctions were applied to many found to be in breach of them. The hardship under which citizens across the country worked, lived and sadly even died while observing the Government's regulations and guidance rigorously are known only too well.
29. Every citizen has been impacted by the pandemic. Everyone has made personal sacrifices, some the most profound, having been unable to be with loved ones in their last moments or care for vulnerable family and friends.

### **Factual findings of the events**

30. For each event, I have summarised the particularly relevant passages of the applicable regulations and Government guidance. As explained in my update report, it is not my role to make a judgment on whether or not the criminal law has been broken; my focus has been on establishing the nature and purpose of the events and whether those events were appropriate in light of the Government's own guidance. Where I have set out the terms of the regulations, this is because they also formed part of the guidance. Other aspects of the guidance, particularly in relation to social distancing, were in addition to the terms of the regulations.
31. The numerical references attributed to roles are distinct for each event.
32. On the evidence collected, I have made the following findings:

## **15 May 2020; a photograph showing a number of groups in the garden of No 10 Downing Street**

### **Extracts of regulations and guidance**

*On 26 March 2020 restrictions on leaving one's home without a reasonable excuse, first announced on 23 March, came into legal effect in England. Very limited justifications permitted travel to work where it was not reasonably possible to work from home. Participating in a gathering of more than two persons in public was prohibited except where the gathering was "essential for work purposes".*

*On 13 May 2020 some restrictions were relaxed to allow meetings outdoors for exercise or recreation with one person from another household. Guidance encouraged those who could not work from home to go back to work. At work, social distancing guidance applied, with workplaces required "to maintain 2m social distancing wherever possible, including while arriving at and departing from work, while in work and when travelling between sites". Leaving or being outside one's home without a reasonable excuse continued to be prohibited.*

### **The event**

On 15 May 2020 in the early evening a number of people gathered in the No 10 garden. The individuals were divided into groups of varying sizes, with some standing on the grass and two other groups seated at tables on the terrace. A photograph of these groups was subsequently published in the Guardian newspaper on 19 December 2021. As explained by those interviewed as part of the investigation, this gathering was actually a number of separate meetings.

The largest group pictured was made up of the then Secretary of State for Health and Social Care, No 10 and DHSC officials and special advisers who had convened at around 18.00 following a press conference which had just taken place in Downing Street. Wine is visible on the table and some individuals drank alcohol. Two other No 10 officials are pictured separately on the grass. Both groups were discussing the press conference. The Secretary of State left at approximately 18.25.

At a table on the terrace, the Prime Minister, Martin Reynolds (his Principal Private Secretary), and Dominic Cummings (his senior adviser) were continuing a lengthy meeting that had started in the Prime Minister's office, before moving to the garden at around 18.00. The Prime Minister brought cheese and wine from his flat. The outdoor part of the meeting lasted for 40 minutes to an hour and they were briefly joined by the Prime Minister's wife, during which time the photograph was taken. Martin Reynolds subsequently returned to the office to continue working. The Prime Minister remained in the garden until around 19.20.

There is a further group of four individuals sitting at a table on the terrace. It has not been possible to identify these individuals, but there is no reason to suggest that this was anything other than a further work meeting.

## **20 May 2020; a gathering in the garden of No 10 Downing Street for No 10 staff**

### **Extracts of regulations and guidance**

*On 26 March 2020 restrictions on leaving one's home without a reasonable excuse, first announced on 23 March, came into legal effect in England. Very limited justifications permitted travel to work where it was not reasonably possible to work from home. Participating in a gathering of more than two persons in public was prohibited except where the gathering was "essential for work purposes".*

*On 13 May 2020 some restrictions were relaxed to allow meetings outdoors for exercise or recreation with one person from another household. Guidance encouraged those who could not work from home to go back to work. At work, social distancing guidance applied with workplaces required "to maintain 2m social distancing wherever possible, including while arriving at and departing from work, while in work, and when travelling between sites". Leaving or being outside one's home without a reasonable excuse continued to be prohibited.*

### **Summary**

On 20 May 2020 there was a gathering in the No 10 garden. The investigation was told that the event was for the purposes of boosting staff morale following a challenging period for staff. The invitation for the event was made initially to No 10 staff and was then extended to other individuals and teams in the Cabinet Office. It was an event planned in advance by officials and attended by a significant number of people. Some concerns were expressed about whether it was appropriate to hold the event.

### **Preparations**

On 13 May 2020 at 14.53 a No 10 official ("No 10 Official 1") sent an email to the No 10 Private Secretary email group and to a special adviser. It read:

"Hi all,

*It's meant to be nice weather next week so shall we try to do a socially distanced drinks in the garden on Wednesday or Thursday?*

*[No 10 Official (2)] let's chat about arranging it.*

*We can open it up to anyone else who is in the House on that day."*

On 14 May 2020 at 13.13 No 10 official (2) contacted the Internal Events team to book the garden for the following week stating that '*[No 10 Official (1) and [No 10 Official (2)] will go out and get the booze*'. A member of the internal events team replied on 15 May 2020 and said '*....Sounds like lots of fun...That's fine. Just a reminder about the press conference so just be courteous with sound from 4-6pm*'.

On 18 May 2020 at 12.48 No 10 Official (2) wrote to No 10 Facilities Management saying:

*"Could you please pop out a couple of tables for us to host these drinks in the garden on Weds evening from around 5 to 7? It is for Private Office and then whoever is in the House on the day."*

On 20 May 2020 at 11.34, a scheduler was sent by email on behalf of Martin Reynolds, the Prime Minister's Principal Private Secretary, to a number of individuals in the Private Office and to a number of special advisers in No 10.

-----Original Appointment-----

**From:** **[No 10 OFFICIAL (2)] On Behalf Of [MARTIN REYNOLDS]**

**Sent:** 20 May 2020 11:34

**To:** **[26 No 10 Staff]]**

**Subject:** Socially distanced drinks

**When:** 20 May 2020 17:30-19:30 (UTC+00:00) Dublin, Edinburgh, Lisbon, London.

**Where:** No10 Garden

Following the scheduler No 10 Official (2) sent an email at 12.46 to the office of the then Cabinet Secretary saying '*...we are having some socially distanced drinks in the garden later and wanted to invite whoever is in your office. They start at 6 - would you be able to pass on the message to those in today please? Strictly your office though so we don't end up with lots of people!*'. A member of staff in the Cabinet Secretary's office replied '*....I have let those in the office know. I think there are 4 in today....*' No 10 Official (2) responded '*Great! Could you also suggest they bring their own booze! Not sure we will have enough but hopefully there aren't that many people in the building!*'

As a follow up to the scheduler a draft email setting out a written invitation to the gathering on 20 May 2020 was sent by No 10 Official (2) at 13.08 to Martin Reynolds for approval and copied to No 10 Official (1). Martin Reynolds replied '*That is great – please issue*'. No 10 Official (1) sent an email saying '*Looks good.*

*I think send it to relevant teams. The Everyone email goes very wide (protection team etc)'. The email invitation was subsequently issued on behalf of Martin Reynolds at 13.44 with a further copy of the scheduler. The email said:*

*"Hi all,*

*After what has been an incredibly busy period we thought it would be nice to make the most of this lovely weather and have some socially distanced drinks in the garden this evening.*

*Please join us from 6pm and bring your own booze!*

*Martin."*

The email invitation was sent to a number of group distribution lists, as well as individuals, comprising in total around 200 staff across No 10 Downing Street. The invitation was also sent to special advisers in the Chancellor's office and a member of staff in the No 10 Covid-19 Coordination unit. Martin Reynolds also sent a separate email invitation to other senior officials.

Some of those who received the original invitation, as well those to whom it was forwarded, accepted the scheduler itself or otherwise emailed to indicate that they would be there.

A No 10 special adviser also forwarded the email at 13.56 onto a No 10 official involved with the Covid Press conference which was taking place that day, saying: '*In case you & others in the office today want to join after the presser. (I will flag separately to Martin that this will be around the time speakers and cameras are leaving after the press conference and to be mindful of that)*'. The No 10 official to whom the email was sent replied to say '*Thank you will share with the team here*' and subsequently forwarded the invitation to other members of the No 10 Events & Visits team stating '*FYI and if of interest, [No 10 special adviser] will flag with Martin that the presser will be concluding around this time*'.

Following the email, the same No 10 special adviser sent a message to Martin Reynolds by WhatsApp at 14.08 stating '*Drinks this eve is a lovely idea so I've shared with the E & V team who are in the office. Just to flag that the press conference will probably be finishing around that time, so helpful if people can be mindful of that as speakers and cameras are leaving, not walking around waving bottles of wine etc*'. Martin Reynolds replied '*Will do my best!....*'

A No 10 Director declined the invitation and told the investigation that they had raised with either Martin Reynolds or his office that it was not a good idea.

Lee Cain, the then No 10 Director of Communications (a special adviser), also received the invitation. In response, he emailed Martin Reynolds, No 10 official (1), and Dominic Cummings at 14.35 on 20 May 2020 stating: '*I'm sure it will be fine - and I applaud the gesture - but a 200 odd person invitation for drinks in the garden of no 10 is somewhat of a comms risk in the current environment.*' Lee Cain says he subsequently spoke to Martin Reynolds and advised him that the event should be cancelled. Martin Reynolds does not recall any such conversation. In addition, Dominic Cummings has also said that he too raised concerns, in writing. We have not found any documentary evidence of this.

### The event

The event itself began shortly before 18.00 on 20 May 2020. It has been difficult to ascertain exact numbers in attendance, but it is likely that there were approximately 30-40 people in the garden. The Prime Minister attended at approximately 18.00 for around 30 minutes to thank staff before returning to his office with Martin Reynolds for a meeting at 18.30. This meeting lasted 30 minutes after which Martin Reynolds returned to the garden for an unknown period. The Prime Minister did not return to the garden. Lee Cain informed the investigation that he attended the event for a brief period to ascertain who was present in the garden. A No 10 official also informed the investigation that they had been out in the garden briefly at approximately 18.00 and had noted a small number of individuals gathered. The No 10 official spoke to another colleague who informed them that they were attending for the drinks and on hearing this the No 10 official left. The majority of people who attended the event were present early on in the evening with a number of individuals leaving Downing Street between 22.00 and 23.00. Drinks and pizza were provided and paid for by staff.

On the following day, the 21 May 2020, a No 10 special adviser emailed Martin Reynolds saying:

*"Hi Martin,*

*Thank you so much for organising these drinks and for providing the wine! A very kind thing to do and I know everyone really appreciated it."*

Martin Reynolds replied:

*"Thanks – it was lots of fun and nice to chat with everyone."*

This event was also referenced in a subsequent Whatsapp message on an unknown date from Martin Reynolds to a special adviser:

*[Martin Reynolds] [19:36] “Best of luck – a complete non story but better than them focusing on our drinks (which we seem to have got away with).”*

### **18 June 2020: a gathering in the Cabinet Office, 70 Whitehall on the departure of a No 10 official**

#### **Extract of regulations and guidance**

*On 1 June 2020, England moved to “step 2” of the Government’s roadmap in which restrictions on leaving one’s home were removed. Gatherings of two or more persons indoors and more than six outdoors were prohibited. An exception permitted gatherings that are “reasonably necessary .... for work purposes”. At work, social distancing guidance continued to say “you must maintain social distancing in the work place wherever possible.” Work places were required “to maintain 2m social distancing wherever possible, including when arriving at and departing from work, while in work, and when travelling between sites”.*

*On 13 June 2020 individual prayer in places of worship was allowed again and on 15 June 2020 non-essential retail businesses were permitted to re-open.*

#### **Summary**

On the 18 June 2020 a gathering took place in No 10 and in the Cabinet Office at 70 Whitehall, to mark the departure of a No 10 official (“No 10 official (1)”). The first part of the event took place in No 10 in the Cabinet Room involving formal leaving speeches and some alcohol. This lasted approximately for up to an hour. The second part took place in 70 Whitehall in the Cabinet Secretary’s rooms with alcohol, food and music.

#### **Preparations**

On 11 June 2020, an email invitation was sent at 18.12 by No 10 official (1) to the Private Secretaries in No 10 inviting them to an event to mark their departure. The email was entitled ‘No 10 official (1) leaving drinks’. These were scheduled to take place on 18 June 2020, from 6-9pm, in a location that was ‘TBC’. At 19.12 No 10 official (1) sent an identical invitation to a number of other individuals in No 10 including senior officials and special advisers which was called ‘No 10 official (1) leaving drinks’.

A number of individuals accepted the invitation.

There was some internal discussion about the event between Martin Reynolds, Principal Private Secretary to the Prime Minister, and Lee Cain, the No 10 Director

of Communications. On 12 June there was an exchange of WhatsApp messages between the two that read:

*[Martin Reynolds] [18:31] “No 10 official (1)’s leaving drinks next week - can we discuss handling!”*

*[Lee Cain] [18:32] “Yes - not sure how we do it but want to do something”*

*[Martin Reynolds] [19:01] “Is it safer to do a larger event indoors but with some people carrying on outside afterwards?”*

*[Lee Cain] [19:20] “I’m not sure it works at all to be honest, which would be a shame. I don’t see how we can have some kind of party though”*

*[Martin Reynolds] [19:23] “So you are saying nothing for [No 10 official (1)]?”*

*[Lee Cain] [18:32] “I think it’s your decision my friend, not mind [sic]! But it obviously comes with rather substantial comms risks”*

On 17 June 2020 there were email exchanges between No 10 official (1) and a second No 10 official (No 10 official (2)), (subject matter ‘*My Leaving*’) regarding the logistics of the event.

No 10 official (1) emailed No 10 official (2) and another No 10 official (No 10 official (3)) stating:

*“Hi It would be nice to do the speech bit either tomorrow or Friday with a zoom option so I can invite a wider No 10 audience (i.e. Questions, R&I, speechwriters DCs, PU, press, media spads, covid lot, political team etc).....”*

No 10 official (2) replied to stating:

*“Hi Martin [Reynolds] and Stuart [Glassborow] would like to do speeches tomorrow when we have your drinks which aren’t drinks. What time are we planning on the drinks? I think we should aim to do speeches in the Cabinet Room via Zoom after 6.30 when the PM has gone and Dom’s evening meeting has finished. What shall I call the invite? I will get the Zoom details at some point tomorrow”.*

No 10 official (1) replied *‘Well if we’re doing it in Cabinet Room with a gap then to the actual drinks, I think we can more explicitly call it [No 10 official (1)] goodbye or leaving speech, or something?’*

No 10 official (2) replied *‘Is 6.30 ok for this? We could maybe squeeze it in at 1730 but might have to be a different room! Zoom details below.*

*Topic: No 10 official (1) Goodbye*

*Time: Jun 18, 2020 0630 pm London*

*[Zoom meeting details]*

No 10 official (1) said that ahead of the event taking place they recalled seeking prior permission from senior officials to use the Cabinet Secretary's offices for their drinks following speeches in the Cabinet Room.

### **The first part of the event**

On 18 June 2020 over 25 people gathered for the first formal part of the leaving event with speeches which took place in the Cabinet Room, including No 10 official (1), Dominic Cummings and Simon Case, the Permanent Secretary for Covid and the Pandemic Response in No 10. It began, approximately, between 18.30 to 19.00 and finished before 19.40. Not all those who attended in person stayed for the entirety of this period. Others dialled into the event virtually by Zoom. Alcohol was available and Stuart Glassborow, Deputy Principal Private Secretary to the Prime Minister, gave a speech.

### **The second part of the event**

The second phase of the event took place from around 19.40 in the 'Waiting Room' area outside the Cabinet Secretary's private office in 70 Whitehall and not all attendees from the first part attended the second part.

At around 19.40, at the conclusion of the event in the Cabinet Room a number of staff moved through from No 10 into 70 Whitehall using the link door between the two buildings. Those individuals went into the Cabinet Secretary's Waiting Room.

There was an exchange of messages on a No 10 Private Office WhatsApp group, which read:

*[No 10 official (4)] [19:40] "Where is everyone?"  
[No 10 official (4)] [19:41] "The pizzas are here."  
[No 10 official (1)] [19:43] "We're moving to cab sec office"  
[No 10 official (1)] [19:47] "We're in outer office of cab sec with pizza"*

The link door log shows that a number of officials from the No 10 Private Office went through the link door between 19.51 and 20.16 including Martin Reynolds and Stuart Glassborow. They joined the other members of the Private Office, including No 10 official (1), already in the waiting room. Some brought pizza and prosecco and they were followed by others, over the next couple of hours. Helen MacNamara, Deputy Cabinet Secretary, attended for part of the evening and provided a karaoke machine which was set up in an adjoining office to the waiting room.

The Cabinet Secretary, Sir Mark Sedwill, returned from a meeting and noted that there were individuals in his waiting room. He stayed for a short time and before leaving for another meeting he gave permission for the use of his office for a short time.

The event lasted for a number of hours. There was excessive alcohol consumption by some individuals. One individual was sick. There was a minor altercation between two other individuals.

The event broke up in stages with a few members of staff leaving from around 21.00 and the last member of staff, who stayed to tidy up, leaving at 03.13.

### **19 June 2020; a gathering in the Cabinet Room in No 10 Downing Street on the Prime Minister's birthday**

#### **Extract of regulations and guidance**

*On 1 June 2020, England moved to “step 2” of the Government’s roadmap in which restrictions on leaving one’s home were removed. Gatherings of two or more persons indoors and more than six outdoors were prohibited. An exception permitted gatherings that are “reasonably necessary .... for work purposes”. At work, social distancing guidance continued to say “you must maintain social distancing in the work place wherever possible.” Work places were required “to maintain 2m social distancing wherever possible, including when arriving at and departing from work, while in work, and when travelling between sites”.*

*On 13 June 2020 individual prayer in places of worship was allowed again and on 15 June 2020 non-essential retail businesses were permitted to re-open.*

#### **Summary**

On 19 June 2020 a number of individuals gathered in the Cabinet Room in No 10 Downing Street to wish the Prime Minister a happy birthday. Food, alcohol and soft drinks were provided, having been organised in advance that morning. The event lasted around 20-30 minutes.

#### **Preparations**

On the morning of 19 June 2020, Cleo Watson, a No 10 special adviser who informed the investigation that she had been asked to organise the event, had an exchange of Whatsapp messages with Martin Reynolds, Principal Private Secretary to the Prime Minister messages as follows:

*[Cleo Watson] [09:09] “Hi! PM birthday today - we've organised some sandwiches and cake for about 1pm in the Cabinet Room if anyone from your team would like to pop in and wish him a happy birthday....”*

*[Cleo Watson] [09:09] “Have sent this to policy, press and e&v heads. Do you mind letting PSs know?”*

*[Martin Reynolds] [09:32] “Will do”.*

Martin Reynolds subsequently sent an email at 09.34 to a number of No10 staff, including the No 10 Permanent Secretary for Covid and the Pandemic Response, Simon Case, and the No 10 Private Secretaries, saying '*For the PM's birthday today we are having sandwiches and cake in the Cabinet room so do come along and wish the PM happy birthday.*' We do not know which individuals saw this email.

### **The event**

The Prime Minister was not aware of this event in advance and it did not form part of his official diary for the day. He returned from an external visit to No 10 Downing Street at approximately 14.20 and was taken into the Cabinet Room which had been set up with sandwiches, snacks, soft drinks and cans of beer. Those attending included No 10 officials and Mrs. Johnson. The Permanent Secretary for Covid and Pandemic Response, Simon Case, attended for a short period having arrived early for a meeting which was due to take place in the Cabinet room. The Chancellor was also there briefly having also arrived early for the same meeting. He had no advance knowledge about what had been planned.

The event lasted between 14.25 and 14.45, throughout which the Prime Minister was present. Those attending consumed food and drink, and some drank alcohol. There are photographs of the event.

### **13 November 2020:**

#### **A gathering in No 10 Downing Street on the departure of a special adviser**

##### **Extract from regulations/guidance**

*On 5 November 2020, a second national lockdown was introduced which required people to stay at home and prohibited indoor gatherings of two or more people from other households except for permitted exceptions, including where the “gathering is reasonably necessary ... for work purposes”. Social distancing remained the rule at work, with guidance on working safely in offices saying “you must maintain social distancing in the workplace wherever possible”. Offices were advised to “maintain social distancing guidelines (2m, or 1m with risk mitigation*

*where 2m is not viable), wherever possible, including while arriving at and departing from work, while in work, and when travelling between sites”.*

## **Summary**

On 13 November 2020 it was publicly announced that two of the Prime Minister’s most senior advisers, Dominic Cummings and Lee Cain, would leave government. There was a leaving speech and drinks in No 10 for Lee Cain later that day, which the Prime Minister attended.

### **The event**

A number of press office staff and media special advisers gathered in the Press Office area of No 10 to mark the departure of Lee Cain, the No 10 Director of Communications. The investigation was informed that this was not pre-planned. It did occur at around the time that ‘Wine Time Friday’ would normally be taking place. The Prime Minister attended on his way to his Downing Street flat, having left his office at 19.17. He went to the Press Office area, joined the gathering and made a leaving speech for Lee Cain. Wine had been provided and those attending, including the Prime Minister, were drinking alcohol. There are a number of photographs of the event.

### **A gathering in the No 10 Downing Street flat**

#### **The event**

Following the announcement of the departure of Dominic Cummings and Lee Cain, a meeting was held in the No 10 flat from some time after 18.00 to discuss the handling of their departure. Five special advisers attended. The Prime Minister joined them at about 20.00. Food and alcohol were available. The discussion carried on later into the evening with attendees leaving at various points.

The information collected on this gathering is limited as the process of obtaining evidence had only just been commenced when the Metropolitan Police announced their own investigations, which included events on the 13 November 2020. At this point I stopped my investigation, given the need to avoid any prejudice to the police investigation. Following the Metropolitan Police announcement on 19 May 2022 I considered whether or not to conduct any further investigation into this event but concluded it was not appropriate or proportionate to do so.

## **27 November 2020; a gathering in No 10 Downing Street on the departure of a special adviser**

### **Extract from regulations and guidance**

*On 5 November 2020, a second national lockdown was introduced which required people to stay at home and prohibited indoor gatherings of two or more people from other households except for permitted exceptions, including where the “gathering is reasonably necessary … for work purposes”. Social distancing remained the rule at work, with guidance on working safely in offices saying “you must maintain social distancing in the workplace wherever possible”. Offices were advised to “maintain social distancing guidelines (2m, or 1m with risk mitigation where 2m is not viable), wherever possible, including while arriving at and departing from work, while in work, and when travelling between sites”.*

### **Summary**

On 27 November 2020 a number of people gathered in the No 10 Press Office area to say goodbye to a special adviser, who was leaving government. Officials, including senior officials, and special advisers were present. The Prime Minister attended and gave a short leaving speech.

### **The event**

On 27 November 2020, a No 10 special advisor left government having said goodbye to a number of people at their desks during that day and decided to visit the No 10 Press Office to say goodbye to the staff who worked there. This took place at approximately 18.00 on a Friday evening.

It appears to have been an impromptu gathering. An exchange of messages took place between the No 10 special adviser and a No 10 official. At 17.46 the No 10 official asked “Were [sic] will you be in 20 minutes?” At 17.58 the special adviser replied “Press Room!” and, at 18:00 sent a further message to the No 10 official saying, “Will you let PS folks know?”. The No 10 official replied at 18.06 stating ‘Yes’. At 18.19 the No 10 official sent a further message saying ‘We are coming now’.

There were approximately 15 to 20 people in attendance, some of whom were drinking alcohol. As well as some people from the Press Office, a number of senior officials, private office staff and special advisers attended the event.

The Prime Minister finished a meeting at 18.19 and then attended the Press Office to say goodbye. He remained for a short time, saying a few words of thanks and

farewell, before returning to his office for his next meeting which was scheduled for 18.45. The special adviser left the building by 18.58.

### **10 December 2020: a gathering in the Department for Education ahead of the Christmas break**

#### **Extracts from regulations and guidance**

*On 5 November 2020, a second national lockdown was introduced which required people to stay at home and prohibited indoor gatherings of two or more people from other households except for permitted exceptions, including where the “gathering is reasonably necessary … for work purposes”.*

*On 2 December 2020, England was divided into three tiers, with London in Tier 2 in which gatherings of two or more people indoors continued to be prohibited unless an exception applied, such as where the gathering was reasonably necessary for work purposes. Government guidance, issued on 30 November 2020 for the Christmas period, on visiting pubs and restaurants advised: “although there are exemptions for work purposes, you must not have a work Christmas lunch or party where that is a primarily social activity and is not otherwise permitted by the rules in your tier.”*

*Social distancing remained the rule at work, with guidance on working safely in offices saying “you must maintain social distancing in the workplace wherever possible”. Offices were advised to “maintain social distancing guidelines (2m, or 1m with risk mitigation where 2m is not viable), wherever possible, including while arriving at and departing from work, while in work, and when travelling between sites”.*

#### **Summary**

On 10 December 2020 a gathering took place in the Department for Education. The Secretary of State for Education wanted to thank staff for their hard work ahead of the Christmas break. Senior officials and special advisers attended the event. There was food and alcohol available and it lasted for around an hour.

#### **Preparations**

In early December 2020 planning began in the Department for Education for an event to thank members of staff who had been working in the office during the pandemic. This was discussed between senior officials in the Department and the Secretary of State, who asked members of his Private Office to make the arrangements. Initially, the intention was to hold the event in the Private Office working area, but officials subsequently decided to move the event to the

Department's canteen on the basis that it is a well-ventilated space that would permit easier social distancing.

On 7 December 2020 at 15.52 an email was sent from the Secretary of State's Private Office internally within the Department for Education, inviting approximately 50 staff including Private Office officials, departmental officials and special advisers to "socially distanced" festive drinks.

"Hi all,

*We're planning on having some 'socially distanced' festive drinks in the canteen on Thursday. It would be great if you could join us. This is open to Private Office staff and ministers if they are around.....*

*For those working at home...there are plans for a Christmas Divisional where people will be able to dial in and have a Virtual Festive gathering...."*

### **The event**

Approximately 20-30 staff gathered in the canteen at around 17.00 on 10 December 2020. Staff had been invited to bring their own refreshments, including a suggestion in the invitation that those joining should bring their own bottle. At the event there was wine, some of which, along with mince pies, was provided by the Secretary of State and his Private Office.

The Secretary of State thanked staff at the event, leaving shortly afterwards to travel back to his constituency. Some people remained in the canteen for a short period. The event lasted around 60 minutes.

### **15 December 2020: a gathering in No 10 Downing Street for an online Christmas quiz**

#### **Extracts from regulations and guidance**

*On 5 November 2020, a second national lockdown was introduced which required people to stay at home and prohibited indoor gatherings of two or more people from other households except for permitted exceptions, including where the "gathering is reasonably necessary ... for work purposes".*

*On 2 December 2020, England was divided into three tiers, with London in Tier 2 in which gatherings of two or more people indoors continued to be prohibited unless an exception applied, such as where the gathering was reasonably necessary for work purposes. Government guidance, issued on 30 November 2020 for the Christmas period, on visiting pubs and restaurants advised: "although there are*

*exemptions for work purposes, you must not have a work Christmas lunch or party where that is a primarily social activity and is not otherwise permitted by the rules in your tier.”*

*Social distancing remained the rule at work, with guidance on working safely in offices saying “you must maintain social distancing in the workplace wherever possible”. Offices were advised to “maintain social distancing guidelines (2m, or 1m with risk mitigation where 2m is not viable), wherever possible, including while arriving at and departing from work, while in work, and when travelling between sites”.*

## **Summary**

On 15 December 2020 a virtual quiz took place for No 10 staff. This was attended by No 10 staff who were present in Downing Street and 70 Whitehall and by some who joined from home. Alcohol and food was available in Downing Street and at 70 Whitehall, supplied and paid for by staff attending. The quiz and prize-giving lasted approximately three and a half hours.

## **Preparations**

On 27 November 2020 at 13.50, an email invitation was sent by the No 10 People & Wellbeing Group (“PWG”) to all No 10 staff inviting them to a virtual Christmas Quiz on Tuesday 15 December 2020. The email read:

*“As we are not able to get together this year for a Christmas party the People and Wellbeing group have arranged a Christmas Quiz on Tuesday 15th December from 6 - 8.30pm.*

*Dress up for the festive season and get your cameras on! .....*

*...Further details will follow shortly, if you want to get involved please email the PWG inbox.”*

On 11 December 2020, a further email was sent by the PWG, again to all No 10 staff, setting out the joining instructions and running order for the quiz and the need to follow social distancing guidance. Participants were organised into teams of six and were invited to join virtually in one of three ways: (i) from home, (ii) from their desk in No 10 Downing Street, (iii) from meeting rooms in No 10 or 70 Whitehall (where some No 10 staff members were based). This email included the following:

*“The Quiz will take place on Tuesday 15th at 1800 – 2000... We need to be mindful of Hands-Face-Space!*

*The expectation is that this is a virtual quiz. Please do not come into the office on Tuesday for the quiz, if you are not due to be working from the office. For those who are working in No 10 and planning to stay in the office for the quiz, please ensure you are following social distancing rules already set out in No10. Teams in the office should ensure that they arrange themselves behind the Perspex screens. All staff will be required to leave the office immediately after the end of the quiz*

*[No 10 official] will be presenting the main quiz via MS Teams from the Study...you will then need to ensure you arrange a zoom call or other method so you can discuss answers with your team.....”*

The invitation email included details of the proposed teams and running order. It was scheduled to start at 18.00 and end at 20.30, followed by results and prizes between 20.30 to 20.45. Departure from No 10 for those present in the offices was scheduled between 20.45 and 21.30.

### **The event**

On 15 December 2020, the planned quiz began at around 18.00. Approximately 120-150 staff joined, some from home and others based in rooms across No 10 Downing Street and 70 Whitehall. At least 18 members of No 10 staff joined from a large room in 70 Whitehall.

The Prime Minister joined the quiz at approximately 19.50 to read out the questions to one of the rounds. This had been agreed in principle in advance and was confirmed on the day. This is not unusual, he was frequently called upon by his office to attend staff events. He remained at the event for 12 minutes before returning to his office. There are published photographs of his participation in the event.

Food and alcohol was available during the quiz which was purchased by individuals on behalf of their teams. Some teams in the office gathered close together around laptop screens.

Some staff drank alcohol. A No 10 official sent a message on internal No 10 systems referring to ‘drunkenness’ and advising staff to leave No 10 via the back exit. The No 10 official informed the investigation team that they did this in order to avoid staff being photographed by the press outside.

The quiz finished at approximately 21.30. Most of those in the office in No 10 either left or returned to work after the quiz with some remaining continuing to chat and some drank alcohol.

## **17 December 2020:**

**Extracts from regulations and guidance applicable to all three events on 17 December 2020.**

*On 5 November 2020, a second national lockdown was introduced which required people to stay at home and prohibited indoor gatherings of two or more people from other households except for permitted exceptions, including where the “gathering is reasonably necessary … for work purposes”.*

*On 2 December 2020, England was divided into three tiers, with London in Tier 2 in which gatherings of two or more people indoors continued to be prohibited unless an exception applied, such as where the gathering was reasonably necessary for work purposes. Government guidance, issued on 30 November 2020 for the Christmas period, on visiting pubs and restaurants advised: “although there are exemptions for work purposes, you must not have a work Christmas lunch or party where that is a primarily social activity and is not otherwise permitted by the rules in your tier.”*

*On 16 December 2020, London was moved to Tier 3. Indoor gatherings of two or more people from different households continued to be prohibited. Social distancing remained the rule at work, with offices advised “to maintain social distancing guidelines (2m, or 1m with risk mitigation where 2m is not viable), wherever possible, including while arriving at and departing from work, while in work and when travelling between sites”. The Christmas party guidance issued on the 30 November 2020 remained unchanged.*

### **A gathering in Cabinet Office, 70 Whitehall to hold an online Christmas quiz for the Cabinet Secretary’s Private Office**

#### **Summary**

On 17 December 2020 a virtual quiz took place in the Cabinet Secretary’s Private Office for staff who were in the office and working at home that day. Alcohol and food were consumed during the quiz which lasted approximately 90 minutes in total.

#### **The event**

On 1 December 2020 an email was sent by a Cabinet Office official in the Cabinet Secretary’s Private Office to fellow Private Office staff (comprising 12 individuals) inviting them to a ‘*virtual Christmas party*’ that would be held on Thursday 17 December 2020. The invitation said:

*"Hi Team,*

*Having consulted the leave tracker we're planning to have our virtual Christmas Party on Thursday 17<sup>th</sup> December – if anyone has any major objections to that date please could you let us know today?*

*Also please do flag by COP if you wouldn't like to be part of secret santa....."*

The event was discussed in advance, including the idea of a virtual quiz, with senior officials in the Cabinet Secretary's office. They had agreed that it could go ahead on the understanding that the team's rota system, which had been set up to assist with social distancing, was observed. This meant that half of the Private Office team would be in the office and the other half would be working at home on any given day.

On 17 December 2020 the virtual quiz took place in the outer office of the Cabinet Secretary's room. It began at approximately 17.30. There were approximately five people in the office that day. The Cabinet Secretary was not present for the quiz. Those in the office joined by sitting at their desks using a large communal video screen with microphone and speakers in the outer office area. Others joined online. There was some food and alcohol available, which had been bought that day by a member of the office.

The quiz itself lasted around an hour. Once it had finished, an online game of "Articulate" was played by those in the office and those at home. This game lasted around half an hour. The event finished at around 19.00.

Once the game of "Articulate" had finished, there was some informal chat for a brief period between those joining remotely and the group in the office. The virtual participants then logged off. Those who had been working in the office continued to chat.

At 20.25 the Cabinet Secretary returned to his office from No 10 and remained working there. Before leaving the building at 21.45 he stopped to speak to members of his Private Office for about 15 minutes. He was offered and took a beer. His Private Office team remained in the office chatting and finishing their drinks and snacks.

## **A gathering in No 10 on the departure of two No 10 Officials**

### **Summary**

On 17 December 2020 a leaving event for two No 10 Officials (“No 10 Officials (1) and (2)”) took place in No 10 in the Pillared Room. There were speeches, including from the Prime Minister and senior officials, and alcohol. Approximately 20 people attended.

### **Preparations**

On 8 December 2020, at 11.59, a third No 10 Private Office official (“No 10 Official (3)”), sent a meeting invitation to No 10 Private Secretaries, the Director of Communications, Head of the Press Office, and other individuals in the Press and Private Offices of No 10. The meeting was titled ‘PO Meeting and farewells’ and scheduled for 17 December 18.30-21.00 in the Pillared Room of No 10. The farewells were for No 10 Officials (1) and (2).

On 14 December at 17.03, No 10 Official (3) sent a further email to the original invitee list and extended the invitation to other officials in No 10, including senior officials, the Events & Visits Team, and the Foreign Press Team. The invitation was entitled: *[No 10 Official (1)] - Moving on”*

On 17 December 2020, a fourth No 10 official arranged for the Pillared Room to be prepared for the event, asking No 10 Facilities Management: *‘Would it be possible for the tables in the [Pillared Room] to be cleared out and left with just one table ahead of a Private Office farewell for [No 10 Official (1)] at 1800 please?’*

### **The event**

The event began at approximately 18.00 as a work-related meeting to discuss how the office would run over the Christmas break. At approximately 19.00, formal leaving speeches began for No 10 Officials (1) and (2). There were around 20 people in the room from across No 10 but predominantly from the Private Office staff. Other members of staff joined virtually. Approximately five bottles of wine were provided for those attending.

The Prime Minister attended for around 15 minutes from 19.50 to 20.05, giving a speech thanking both No 10 Officials (1) and (2) before returning to his office for further meetings. There were also speeches by other officials.

Following the speeches, those who had joined the event virtually left the meeting. Several of those in the room also left at this point, some others remained for a period of around 45 minutes before heading home or returning to their offices to

work. A small number of individuals (three or four) remained in the Pillared Room for a while longer and then went to the Private Office area, where they continued to drink alcohol until approximately 01.00.

The No 10 link door entry/exit logs show that between 00.43 and 00.49 six members of staff from the Cabinet Office (some of whom had left the separate leaving event set out below of officials from the Covid Taskforce) went into No 10 and joined those remaining No 10 staff who were still gathered. The two groups met in the Private Office briefly before parting ways. No 10 and Cabinet Office door logs show them all leaving No 10 and Cabinet Office between 01.10 and 01.28.

### **A gathering in Cabinet Office, 70 Whitehall on the departure of a Senior Cabinet Office Official and a No 10 Official**

#### **Summary**

On 17 December 2020 a leaving event took place for Kate Josephs, a Director General in the Covid Task force, and an official from No 10. The event took place in the Cabinet Office in 70 Whitehall and was attended by 20 to 30 officials, including senior officials, from No 10 and the Cabinet Office.

#### **Preparations**

Kate Josephs and a No 10 official were leaving the Civil Service and wished to mark their departure with a formal leaving event. In the week before the event there was a discussion with the Second Permanent Secretary, James Bowler, about the planned event. He said that it could take place on the basis that it was time limited, that no one was to travel into the office specially and that it should be socially distanced. The Cabinet Office Covid Taskforce operated largely on a work from home basis with the exception of some key staff, mostly senior civil servants who attended the office in 70 Whitehall. On a typical day, there were approximately twelve members of staff present.

On 16 December 2020, an updated invitation was sent at 10.54 by a Cabinet Office official on behalf of Kate Josephs, from her email account, to 40 members of staff from across the Cabinet Office and No 10. It invited them to an event in '70 Whitehall Conference Room C' from 18.30-20.30 on 17 December 2020. The invitation read:

*"Kate J and [No 10 official] farewell drinks @ Thu 17 Dec 2020 6:30pm - 8:30pm  
Where: 70 Whitehall Conference Room C*

*Given higher COVID restrictions please do not travel into London for this if you wouldn't otherwise have been in the office*

*We are leaving the COVID Taskforce :(*

*\*given higher COVID restrictions please do not travel into London for this if you wouldn't otherwise have been in the office\*.*

*We'd love it if you could join us for a farewell, COVID secure, drink*

*Kate Josephs and [No 10 official]"*

### **The event**

The event began between 19.00 and 20.00 on 17 December 2020, with more than 20 staff attending, including James Bowler, Simon Ridley, one of the other Director Generals of the Covid 19 Taskforce, and Kate Josephs. James Bowler gave a leaving speech to thank both Kate Josephs and the No 10 official and returned to his office to work shortly afterwards, before leaving the building at around 20.45.

The intention was to follow the social distancing guidance by observing a one way system, social distancing and other precautionary measures. This did not happen as those in the room gathered in small groups, and there was also mingling between groups. There was food and drink available, including crisps, beer and prosecco that had been purchased by individuals attending. Background music was played through a smartphone. Some people left after the speeches.

The event began to wind down between 22.00 and 22.30. After 22.30 a smaller group of 6-8 staff were left in the room. At least one member of staff went into No 10 to attend a separate event that evening (the leaving event for No 10 Officials (1) and (2) addressed above), before later returning to this event in the Cabinet Office. At 22.44, an individual ordered six pizzas for the group.

The event ended at between 23.00 to 23.30, with most of those remaining, including Simon Ridley, leaving at this point. Some others, including Kate Josephs, left later at around 00.23 after tidying up.

A small number of individuals stayed beyond that. They joined with other members of staff from elsewhere in the Cabinet Office and headed through the link door to No 10, apparently with the intention of joining the separate leaving event taking place for No 10 officials (1) and (2). No 10 exit/entry logs show that, between 00.43 and 00.49, six members of staff entered No 10 through the link door.

## **18 December 2020: A gathering in No 10 Downing Street ahead of the Christmas break**

### **Extracts from regulations and guidance**

*On 5 November 2020, a second national lockdown was introduced which required people to stay at home and prohibited indoor gatherings of two or more people from other households except for permitted exceptions, including where the “gathering is reasonably necessary … for work purposes”.*

*On 2 December 2020, England was divided into three tiers, with London in Tier 2 in which gatherings of two or more people indoors continued to be prohibited unless an exception applied, such as where the gathering was reasonably necessary for work purposes. Government guidance, issued on 30 November 2020 for the Christmas period, on visiting pubs and restaurants advised: “although there are exemptions for work purposes, you must not have a work Christmas lunch or party where that is a primarily social activity and is not otherwise permitted by the rules in your tier.”*

*On 16 December 2020, London was moved to Tier 3. Indoor gatherings of two or more people from different households continued to be prohibited. Social distancing remained the rule at work, with offices advised “to maintain social distancing guidelines (2m, or 1m with risk mitigation where 2m is not viable), wherever possible, including while arriving at and departing from work, while in work and when travelling between sites”. The Christmas party guidance issued on the 30 November 2020 remained unchanged.*

### **Summary**

On 18 December 2020 a gathering lasting several hours took place in the No 10 Press Office. Between 20 and 45 individuals attended over the course of the evening to celebrate the end of year and Christmas. The event included a Secret Santa and an awards ceremony. There was alcohol and food.

### **Preparations**

The investigation was told that members of the Press Office have, for some time (including before the pandemic), brought in wine on Fridays to mark the end of the week. This was known as ‘Wine Time Friday’ where bottles of wine were placed on a table in a small room adjacent to the main Press Office and people could help themselves. On Fridays senior officials would routinely recognise the efforts of staff by handing out some awards and a small trophy cup to recognise weekly achievements. The No 10 Press Office maintained almost full staff attendance in

the office during the pandemic, in order to carry out their roles effectively, with some rota working for duty staff.

On 27 November 2020, a message was sent at 15.31 by a No 10 official on a WhatsApp Group consisting of No 10 media special advisers and members of the No 10 Press Office and Private Office. The message read '*Hey team - do you want to participate in press office secret Santa?*', followed by a message saying '*Spending limit £10*' and a further message which read '*We will do gift exchange and cheese and (lots of) wine on 18th Dec.*' A number of staff replied positively.

On 3 December 2020, an email invitation was sent from the Press Office Mailbox to members of the No 10 Press Office, which included officials and special advisers, inviting them to a '*Wine & Cheese Evening*', to be held from 17.00-21.00 on Friday 18 December 2020. On 7 December 2020, messages were sent via a second WhatsApp group organising who would provide which type of cheese for the event.

On 12 December 2020, a number of messages were sent on a third WhatsApp group, discussing the purchase of a fridge for the office (through individual contributions). One member of the group said '*£5 or so from everyone who wants to contribute would be fab – thanks team*'. Another member of the group replied '*Done, Looking forward to a chilled WTF [Wine Time Friday] next week*', while another commented '*...depending on how full it gets we can put Friday's cheese in there.*'

On 18 December 2020, a message was sent to a fourth WhatsApp group (whose membership consisted of Press Office officials, including senior civil servants), at 12.09 as follows:

*"Our current plan is:*

*1630 people put out their cheese and Christmas treats*

*1700 [No 10 Official] kicks off Secret Santa (if you're alright with that [a No 10 official]? We can help give out the presents.*

*[No 10 Official] then gives out the quiz and gives people some time to do it before going through the answers*

*[No 10 Official] then does the weather game - we need to divide the office into two teams socially distanced along the long bank of desks for this we think*

*Then James [Slack] and Jack [Doyle] do a bit of a jokey highlights and low-lights of the year speech"*

On the 18 December 2020 at 13.19, the email invitation of 3 December 2020 was reissued. Instead of '*Wine & Cheese Evening*' it subsequently read '*End of Year Meeting with Wine & Cheese*'.

### **The event**

The 18 December 2020 was a Friday, when the weekly Press Office meeting and '*Wine Time Friday*' would have normally taken place. It was also the last working Friday of 2020 and there was a desire to mark the occasion.

Some work did take place in the Press Office and No 10 whilst this event was underway, in relation to the ongoing negotiations on a trade deal ahead of the UK's exit from the EU scheduled for 31 December 2020; and on the emergence of the Delta variant of Covid 19, raising issues of what Covid restrictions would be necessary over the Christmas period with announcements being made the next day. A number of senior members of the Press Office attended or observed relevant meetings and discussed follow up action.

The event started by about 18.00 which was later than scheduled. It took place in the same space as the leaving event on 27 November 2020, in the area just outside the No 10 Press Office.

A Secret Santa gift exchange took place. There was also a quiz.

An '*awards ceremony*' took place, at around 19.45. A No 10 official sent a message to one of the WhatsApp groups at 19.49 stating '*prize giving now guys, return*'. The investigation was informed that this was an extension of the type of awards ceremony which might take place on '*Wine Time Friday*'. Those present gathered together at the meeting table in the small area outside the main Press Office. Awards certificates were handed out to staff by Jack Doyle, a senior special adviser. There were about 30 certificates prepared, although not all those awarded certificates were present. The ceremony lasted between 10-25 minutes and between 15 and 45 people were in the room during that time.

At approximately 19.45 that evening, a panic alarm button was accidentally triggered by a member of staff. The custodians on duty responded, as did one of the police officers on No 10 door duty. They observed a large number of people in the area outside of the main Press Office and one individual giving a speech. Inside the Press Office a further 15-20 people were present.

There was food and alcohol available which had been bought and brought in by staff. Some members of staff drank excessively. The event was crowded and noisy

such that some people working elsewhere in the No 10 building that evening heard significant levels of noise coming from what they characterised as a ‘party’ in the Press Office. A cleaner who attended the room the next morning noted that there had been red wine spilled on one wall and on a number of boxes of photocopier paper.

The event lasted for several hours, with varying levels of attendance throughout, including because officials left to attend official meetings. Attendance peaked during the awards ceremony. No 10 exit logs show a number of members of staff remaining in the office until after midnight.

#### **14 January 2021; a gathering in No 10 Downing Street on the departure of two No 10 officials**

##### **Extract from regulations and guidance**

*On 6 January 2021, all areas of England were moved into Tier 4’s stay at home restrictions. This was the third national lockdown. The stay at home restrictions prohibited leaving one’s home except for permitted exceptions which included where it was “reasonably necessary...for the purposes of work” and where it was not reasonably possible to work from home. Indoor gatherings of two or more people were not permitted subject to exceptions which included where a gathering was “reasonably necessary...for work purposes”.*

*Social distancing remained the rule at work, with offices advised “to maintain social distancing guidelines (2m, or 1m with risk mitigation where 2m is not viable), wherever possible, including while arriving at and departing from work, while in work and when travelling between sites”.*

##### **Summary**

On 14 January 2021 a leaving event took place for two No 10 officials (No 10 officials 1 and 2) in the Pillared Room in No 10. The Prime Minister attended for a short time to give a leaving speech. Alcohol was available.

##### **Preparations**

On 7 January 2021 Stuart Glassborow, the Prime Minister’s Deputy Principal Private Secretary and line manager of the departing individuals, sent an email inviting staff to a ‘Virtual Leaving Presentation’, to be held on 14 January 2021 between 17.30-18.30 to mark the leaving of two No 10 officials. The email contained only a Microsoft Teams online link; no information was initially given to suggest an in-person event. This email was subsequently forwarded to

approximately 40 people across No 10, the Cabinet Office and HM Treasury. There was a link provided in the invitation for those attending virtually.

## **Event**

The event began at around 18.00 on 14 January 2021 in the Pillared Room, one of the larger rooms in No 10. Approximately 15 members of staff from the No 10 Private Office and No 10 Policy Unit attended in person, with up to 30 people joining virtually. The Prime Minister attended at approximately 18.00 for around ten minutes in between meetings. He gave a short speech thanking those leaving before returning to his office. There were further speeches by other members of No 10 staff. There are photographs of the event.

Following the speeches while some people left, others remained in the Pillared Room and continued to chat and drink. It is unclear what time the event finished. We were informed at least some of those present were there beyond 23.00.

### **16 April 2021:**

- A gathering in No 10 Downing Street on the departure of a senior No 10 official;
- A gathering in No 10 Downing Street on the departure of another No 10 official.

### **Extract from regulations and guidance**

*On 29 March 2021, all areas of England moved to Step 1 and the “stay at home restrictions” were lifted. Gatherings of two or more people indoors or more than six people outdoors were prohibited, subject to exceptions which included where a gathering was “reasonably necessary... for work purposes”*

*On 12 April 2021, all of England moved to Step 2. Non-essential retail businesses and many outdoor venues re-opened. Gatherings of two or more people indoors and more than six people outdoors remained prohibited, subject to exceptions which included where a gathering was “reasonably necessary...for work purposes”.*

*Social distancing remained the rule at work, with offices advised “to maintain social distancing guidelines (2m, or 1m with risk mitigation where 2m is not viable), wherever possible, including while arriving at and departing from work, while in work and when travelling between sites”.*

## **Summary**

On 16 April 2021 two separate leaving events took place in No 10, one for the Director of Communications, James Slack, and one for a No 10 official. Alcohol was available at both events and there were speeches. Senior officials attended. Both groups met in the No 10 garden later that evening. The events lasted for several hours. The Prime Minister was not in residence.

## **Preparations**

On 7 April 2021 an invitation for a leaving event was sent from the Press Office Mailbox to at least 77 members of staff in No 10, including the Prime Minister's Private Office, Press Office and others, inviting them to a '*Team meeting and leaving Presentation*' for James Slack and a Private Office official scheduled for 17.00-19.00 on 29 April 2021. At 12.35 on the same day, the invitation was forwarded, again by the Press Office Mailbox, to two distribution lists: '*Legislation*' and '*PMPOST - ALL*'.

This original event scheduled for 29 April 2021 did not take place. Instead the invitation was updated for an event on Friday 16 April 2021 for James Slack's leaving event only. The location now read '*Pillared Room/Zoom Then The Garden*'.

## **The events**

Two leaving events took place on 16 April 2021. One, the event for James Slack and the other, an event to mark the departure of a No 10 official. This latter event was organised on the day, by email which sent at 16.26 by a No 10 official to the No 10 Digital team, No 10 Press Office, Events & Visits and others. There was no scheduled time for the event on the invitation. This email invitation included a Microsoft Teams link so that individuals could attend virtually and was called '*[No 10 official] Leaving Presentation*'. The location was the No 10 Digital Team office which is situated in the basement of No 10.

The Digital team is part of the No 10 Press Office team and there was considerable overlap in attendance at the two events. The first, for James Slack, began at approximately 18.30, with speeches in the Press Office. He wished to thank his team members individually and to set out future direction for the team. It lasted for around an hour and there were approximately 45 people in total in attendance both in the office and with a small number online. Those present in person came from across No 10, including senior officials. Some joined the event virtually. Wine and beer had been bought by staff and was consumed by some during the speeches.

Following the speeches, some staff returned to work but others continued chatting and drinking. They remained for some time and were present when the building

was being locked down for the evening. Those still present were asked to leave the building by a No 10 custodian. The group then moved into the No 10 garden.

The second event, for the other No 10 official, was held in the offices of the Digital Team in the basement of No 10. It began at approximately the same time as the event for the Director of Communications, at around 18.00, but was smaller in scale, with 15-20 people present, including a special adviser and more junior officials. There were leaving speeches and a presentation. Wine was available and music was played from a laptop on top of a printer. A number of those present drank excessively.

There was mingling between the two events, with some staff moving up and down the stairs in between the basement and the Press Office. The two groups eventually joined together in the Downing Street garden. Shortly before 21.30, there were over 20 people present in the garden, with a number of bottles of alcohol.

A number of individuals gathered near a child's swing/slide in the garden, damaging it by leaning on and playing with it. This was noticed the next morning and reported to No 10 staff.

At this time, the custodian staff at No 10 continued to lock down the building. They noted that groups of individuals had gone into the garden. The group began to break up and return into the main building at around 21.30.

The No 10 entry logs show that a number of people left No 10 at this point. They were encouraged by the custodian to use the rear exit of No 10. Some individuals remained in the building and carried on drinking alcohol until the early hours. Exit logs indicate that some left after midnight and others between 01.45-02.45. Two members of staff stayed later still, with one leaving at 03.11 and the last leaving at 04:20.

## **Conclusions**

1. The general findings set out in my update of 31<sup>st</sup> January 2022 still stand.
2. Whatever the initial intent, what took place at many of these gatherings and the way in which they developed was not in line with Covid guidance at the time. Even allowing for the extraordinary pressures officials and advisers were under, the factual findings of this report illustrate some attitudes and behaviours inconsistent with that guidance. It is also clear, from the outcome of the police investigation, that a large number of individuals (83) who attended these events breached Covid regulations and therefore Covid guidance.
3. I have already commented in my update on what I found to be failures of leadership and judgment in No 10 and the Cabinet Office. The events that I investigated were attended by leaders in government. Many of these events should not have been allowed to happen. It is also the case that some of the more junior civil servants believed that their involvement in some of these events was permitted given the attendance of senior leaders. The senior leadership at the centre, both political and official, must bear responsibility for this culture.
4. In my update I made a number of general limited findings, I am pleased progress is being made in addressing the issues I raised. I commented on the fragmentary and complicated leadership structures in No 10. Since my update there have been changes to the organisation and management of Downing Street and the Cabinet Office with the aim of creating clearer lines of leadership and accountability and now these need the chance and time to bed in.
5. I found that some staff had witnessed or been subjected to behaviours at work which they had felt concerned about but at times felt unable to raise properly. I was made aware of multiple examples of a lack of respect and poor treatment of security and cleaning staff. This was unacceptable. I am reassured to see that steps have since been taken to introduce more easily accessible means by which to raise concerns electronically, in person or online, including directly with the Permanent Secretary in No 10. I hope that this will truly embed a culture that welcomes and creates opportunities for challenge and speaking up at all levels.
6. I also made a recommendation that steps should be taken to ensure that every Government Department has a clear and robust policy in place covering the consumption of alcohol in the workplace. Since then guidance has been issued to all Government Departments.

7. The matter of what disciplinary action should now take place is outside of the scope of this report and is for others to consider. Nothing set out in this report can be taken as constituting a disciplinary investigation or findings of fact appropriate for such a purpose. However, I do offer a reflection: while there is no excuse for some of the behaviour set out here it is important to acknowledge that those in the most junior positions attended gatherings at which their seniors were present, or indeed organised. I have no doubt that they will have taken the learning from this experience and, while this is not a matter for me, I hope this will be taken into account in considering any disciplinary action.
8. Many will be dismayed that behaviour of this kind took place on this scale at the heart of Government. The public have a right to expect the very highest standards of behaviour in such places and clearly what happened fell well short of this. It is my firm belief, however, that these events did not reflect the prevailing culture in Government and the Civil Service at the time. Many thousands of people up and down the country worked tirelessly to deliver in unprecedented times. I remain immensely proud to be a civil servant and of the work of the service and the wider public sector during the pandemic.

**19 June 2020; a gathering in the Cabinet Room in No 10 Downing Street on the Prime Minister's birthday**



**19 June 2020; a gathering in the Cabinet Room in No 10 Downing Street on the Prime Minister's birthday**



**19 June 2020; a gathering in the Cabinet Room in No 10 Downing Street on the Prime Minister's birthday**



19 June 2020; a gathering in the Cabinet Room in No 10 Downing Street on the Prime Minister's birthday



**13 November 2020; a gathering in No 10 Downing Street on the departure of a special adviser**



**13 November 2020; a gathering in No 10 Downing Street on the departure of a special adviser**



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**13 November 2020; a gathering in No 10 Downing Street on the departure of a special adviser**





Cabinet Office

## **INVESTIGATION INTO ALLEGED GATHERINGS ON GOVERNMENT PREMISES DURING COVID RESTRICTIONS – UPDATE**

31 January 2022

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## **INVESTIGATION INTO ALLEGED GATHERINGS ON GOVERNMENT PREMISES DURING COVID RESTRICTIONS - UPDATE**

1. On 8 December 2021 the Prime Minister asked the Cabinet Secretary to carry out an investigation into allegations reported in the media relating to gatherings in No10 Downing Street and the Department for Education during November and December 2020.
2. On 17 December 2021 the Cabinet Secretary recused himself from the investigation as a result of allegations concerning an online quiz held by his private office in the Cabinet Office on 17 December 2020 in 70 Whitehall. It was at this point that I was asked to lead this work.
3. The terms of reference for the investigation were published on 9 December 2021 (Annex A). The primary purpose of the investigation was to establish a general understanding of the nature of the gatherings including: attendance, the setting and the purpose, with reference to adherence to the guidance in place at the time.
4. Where there were credible allegations relating to other gatherings these could also be investigated.
5. In line with those terms of reference the following events were in scope:
  - 15 May 2020; a photograph showing a number of groups in the garden of No 10 Downing Street;
  - 20 May 2020: a gathering in the garden of No 10 Downing Street for No 10 staff;
  - 18 June 2020: a gathering in the Cabinet Office, 70 Whitehall on the departure of a No 10 private secretary;
  - 19 June 2020: a gathering in the Cabinet room in No 10 Downing Street on the Prime Minister's birthday;
  - 13 November 2020:
    - a gathering in the No 10 Downing Street flat;
    - a gathering in No 10 Downing Street on the departure of a special adviser;
  - 27 November 2020: a gathering in No 10 Downing Street on the departure of a special adviser;
  - 10 December 2020: a gathering in the Department for Education ahead of the Christmas break;
  - 15 December 2020: a gathering in No 10 Downing Street for an online Christmas quiz;

- 17 December 2020:
  - a gathering in Cabinet Office, 70 Whitehall to hold an online Christmas quiz for the Cabinet Secretary's private office;
  - a gathering in Cabinet Office, 70 Whitehall on the departure of a senior Cabinet Office official;
  - a gathering in No 10 Downing Street on the departure of a No 10 official;
- 18 December 2020: a gathering in No 10 Downing Street ahead of the Christmas break;
- 14 January 2021; a gathering in No 10 Downing Street on the departure of two No 10 private secretaries;
- 16 April 2021;
  - A gathering in No 10 Downing Street on the departure of a senior No 10 official;
  - A gathering in No 10 Downing Street on the departure of another No 10 official.

## **Methodology**

6. There has been widespread public interest in, and concern about, a number of gatherings taking place in No 10 Downing Street and Whitehall during periods of national Covid restrictions, where their necessity for work purposes has been open to question. My task has been to establish, as far as possible, the facts surrounding these gatherings.
7. In carrying out my investigation I have been supported by a small team of senior civil servants in the Cabinet Office, who have no connection with the events under examination and who are bound by the requirements of the Civil Service Code. We carried out interviews of over 70 individuals, some more than once, and examined relevant documentary and digital information, such as emails; Whatsapp messages; text messages; photographs and building entry and exit logs. This has also included searches of official records. As such, extensive substantive factual information is now available and has been compiled by me and my team to fulfil my obligation to establish the facts. The investigative work is now essentially complete.
8. The Treasury Solicitor and Daniel Stilitz QC have provided independent advice as to the process.
9. It is not for me to make a judgment on whether the criminal law has been broken; that is properly a matter for law enforcement. In line with my terms of reference I have been in regular contact with the Metropolitan Police as my work has progressed in order for them to take decisions on the gatherings under examination, including whether to launch their own investigation.

10. The Metropolitan Police has now confirmed that as a result of information provided by the Cabinet Office investigation team, as well as assessments made by Metropolitan Police officers, they are investigating the events on the dates set out above with the exception of the gatherings on:

- 15 May 2020
- 27 November 2020
- 10 December 2020
- 15 December 2020

11. The police have confirmed that on the basis of the information available the gatherings on these four dates are not considered to have reached the threshold for criminal investigation.

12. No conclusions should be drawn, or inferences made from this other than it is now for the police to consider the relevant material in relation to those incidents. The police have also said this does not in itself mean that they will decide to take further action or that there has necessarily been a breach of the regulations.

13. At the request of the police I have provided the material compiled in the course of my investigation relevant to the gatherings that they are now investigating. I have also been asked to retain all the other information collected in the course of this work, which I have confirmed that I will do. I will therefore ensure the secure storage and safekeeping of all the information gathered until such time as it may be required further. I will not be circulating the information internally within government, it has been provided in confidence to the Cabinet Office investigation team and it is important that this confidence is maintained to protect the integrity of the process.

14. As a result of the Metropolitan Police's investigations, and so as not to prejudice the police investigative process, they have told me that it would only be appropriate to make minimal reference to the gatherings on the dates they are investigating. Unfortunately, this necessarily means that I am extremely limited in what I can say about those events and it is not possible at present to provide a meaningful report setting out and analysing the extensive factual information I have been able to gather.

15. In respect of the gatherings that the Metropolitan Police has assessed as not reaching the threshold for criminal investigation; they have not requested any limitations be placed on the description of those events, however, I have decided not to publish factual accounts in relation to those four dates. I do not feel that I am able to do so without detriment to the overall balance of the findings.

16. More generally, I did consider whether it would be better to pause, as provided for in the terms of reference, and wait until the conclusion of the police investigation before publishing anything. However, given the widespread public interest in, and concern about, these matters, and to avoid further delay, I am providing an update on the investigation and I am setting out some general findings now. I have not made comment on whether individual gatherings were in line with the relevant

guidance and regulations in place at the time. I did not judge it appropriate to do so given the police investigation that is now underway.

## **Context**

17. The outbreak and spread of SARs Covid-19 represented a global public health crisis without parallel in living memory. In the United Kingdom it had a seismic impact on every aspect of life in the country. In response, to help control the spread of the virus and to keep the most vulnerable safe, the UK Government put in place far reaching restrictions on citizens that had direct and material impact on their lives, livelihood and liberties.
18. From 26 March 2020 the law in England required everyone to remain in their homes unless certain, very limited exemptions applied. Restrictions were temporarily eased over the summer period in 2020 until most remaining national restrictions were removed on 4 July 2020. Restrictions were then reintroduced in gradations in the autumn culminating in the UK Government announcing from 5 November 2020 restrictions on movements and gatherings in England, essentially requiring people to stay at home. Restrictions on gatherings of two or more people applied in London through December 2020 and the first months of 2021. Indoor mixing of two or more households was not permitted again until 17 May 2021. A chronology of the main changes is at Annex B.
19. In line with those rules the vast majority of staff in Government Departments worked from home. The Civil Service, along with the rest of the public sector, went to great lengths to reconfigure the provision and delivery of public services and support for businesses almost overnight. Many private sector businesses and other organisations, large and small, all over the UK, were also working hard to deal with the pandemic both in terms of managing their businesses, their livelihoods and those of their employees, as well as providing vital support to the national effort to respond to the virus.
20. A small number of Government officials and special advisers, because of the nature of their jobs directly supporting the Prime Minister and other Ministers, continued to attend their offices for the purposes of work, as permitted by an exemption under the regulations.
21. In particular, No 10 Downing Street and the Cabinet Office were at the centre of the Government's response to the pandemic. Tight knit groups of officials and advisers worked long hours under difficult conditions in buildings that could not be easily adapted as Covid secure workplaces. No 10 Downing Street and the Cabinet Office in 70 Whitehall are closely interconnected, with staff moving regularly between the two buildings as part of their daily work. The Prime Minister's flat and the Downing Street garden are in close proximity to the offices and serve a dual office and private purpose.
22. Those challenges, however, also applied to key and frontline workers across the country who were working under equally, if not more, demanding conditions, often at risk to their own health. It is important to remember the stringency of the public

health regulations in force in England over the relevant periods and that criminal sanctions were applied to many found to be in breach of them. The hardship under which citizens across the country worked, lived and sadly even died while observing the Government's regulations and guidance rigorously are known only too well.

23. Every citizen has been impacted by the pandemic. Everyone has made personal sacrifices, some the most profound, having been unable to see loved ones in their last moments or care for vulnerable family and friends.

It is with that context in mind that I make the following general limited findings.

### **General findings**

- i. Against the backdrop of the pandemic, when the Government was asking citizens to accept far-reaching restrictions on their lives, some of the behaviour surrounding these gatherings is difficult to justify.
- ii. At least some of the gatherings in question represent a serious failure to observe not just the high standards expected of those working at the heart of Government but also of the standards expected of the entire British population at the time.
- iii. At times it seems there was too little thought given to what was happening across the country in considering the appropriateness of some of these gatherings, the risks they presented to public health and how they might appear to the public. There were failures of leadership and judgment by different parts of No 10 and the Cabinet Office at different times. Some of the events should not have been allowed to take place. Other events should not have been allowed to develop as they did.
- iv. The excessive consumption of alcohol is not appropriate in a professional workplace at any time. Steps must be taken to ensure that every Government Department has a clear and robust policy in place covering the consumption of alcohol in the workplace.
- v. The use of the garden at No 10 Downing Street should be primarily for the Prime Minister and the private residents of No 10 and No 11 Downing Street. During the pandemic it was often used as an extension of the workplace as a more covid secure means of holding group meetings in a ventilated space. This was a sensible measure that staff appreciated, but the garden was also used for gatherings without clear authorisation or oversight. This was not appropriate. Any official access to the space, including for meetings, should be by invitation only and in a controlled environment.
- vi. Some staff wanted to raise concerns about behaviours they witnessed at work but at times felt unable to do so. No member of staff should feel unable to report or challenge poor conduct where they witness it. There should be easier ways

for staff to raise such concerns informally, outside of the line management chain.

- vii. The number of staff working in No 10 Downing Street has steadily increased in recent years. In terms of size, scale and range of responsibility it is now more akin to a small Government Department than purely a dedicated Prime Minister's office. The structures that support the smooth operation of Downing Street, however, have not evolved sufficiently to meet the demands of this expansion. The leadership structures are fragmented and complicated and this has sometimes led to the blurring of lines of accountability. Too much responsibility and expectation is placed on the senior official whose principal function is the direct support of the Prime Minister. This should be addressed as a matter of priority.

## **Conclusion**

- 24. The gatherings within the scope of this investigation are spread over a 20-month period – a period that has been unique in recent times in terms of the complexity and breadth of the demands on public servants and indeed the general public. The whole of the country rose to the challenge. Ministers, special advisers and the Civil Service, of which I am proud to be a part, were a key and dedicated part of that national effort. However, as I have noted, a number of these gatherings should not have been allowed to take place or to develop in the way that they did. There is significant learning to be drawn from these events which must be addressed immediately across Government. This does not need to wait for the police investigations to be concluded.

## **ANNEX A: Terms of Reference: Investigations into staff gatherings in No10 Downing Street and the Department for Education**

The Prime Minister has asked the Cabinet Secretary to carry out investigations into:

- allegations made of a gathering in No10 Downing Street on 27 November 2020;
- a gathering at the Department for Education on 10 December 2020; and
- allegations made of a gathering in No10 Downing Street on 18 December 2020.

Where there are credible allegations relating to other gatherings, these may be investigated.

The primary purpose will be to establish swiftly a general understanding of the nature of the gatherings, including attendance, the setting and the purpose, with reference to adherence to the guidance in place at the time.

If required, the investigations will establish whether individual disciplinary action is warranted.

The work will be undertaken by officials in the Cabinet Office at the direction of the Cabinet Secretary, with support from the Government Legal Department.

The team will have access to all relevant records, and be able to speak to members of staff.

As with all internal investigations, if during the course of the work any evidence emerges of behaviour that is potentially a criminal offence, the matter will be referred to the police and the Cabinet Office's work may be paused. Matters relating to adherence to the law are properly for the police to investigate and the Cabinet Office will liaise with them as appropriate.

Any matters relating to the conduct of Ministers should follow the process set out in the Ministerial Code in the normal way.

All Ministers, Special Advisers, and civil servants will be expected to co-operate with the investigations.

Any staff with information relevant to the investigations should provide it to the Cabinet Office investigation team.

Pastoral care and support will be provided to all staff involved.

The findings of the investigations will be made public. Following the long-standing practice of successive administrations, any specific HR action against individuals will remain confidential.

## **Annex B: Timeline of Regulations**

26 March 2020: restrictions on leaving one's home without a reasonable excuse, first announced on 23 March, come into legal effect in England. Very limited exceptions permit travel to work where it is not reasonably possible to work from home. Participating in a gathering of more than two persons is prohibited except where the gathering "is essential for work purposes".

13 May 2020: leaving or being outside one's home without a reasonable excuse continues to be prohibited. Some restrictions are relaxed to allow meetings outdoors for exercise or recreation with one person from another household. Guidance encourages those who cannot work from home to go back to work. At work, social distancing advice applies with workplaces required "to avoid crowding and minimise opportunities for the virus to spread by maintaining a distance of at least 2 metres (3 steps) between individuals wherever possible"

1 June 2020: England moves to "step 2" of the government's roadmap in which restrictions on leaving one's home are removed. Gatherings of two or more persons indoors and more than six outdoors are prohibited. An exception permits gatherings that are "reasonably necessary .... for work purposes"

15 June 2020: Non-essential retail businesses are permitted to reopen and individual prayer in places of worship is allowed again

4 July 2020: most remaining national restrictions are removed as pubs and restaurants reopen. Gatherings of more than 30 persons are prohibited

5 July 2020: despite the removal of most national restrictions, local restrictions are retained and reintroduced during July and August in certain areas, including Leicester, Bolton, Greater Manchester and the North East

14 September 2020: a restriction on gatherings of more than six persons indoors and outdoors (the "rule of six") is introduced, subject to exceptions which include where "the gathering is reasonably necessary.... for work purposes"

14 October 2020: a tiered system of progressive restrictions is introduced. London is moved to Tier 2 ("High"), from 17 October, in which two or more persons are prohibited from meeting indoors

5 November 2020: a second national lockdown is introduced which requires people to stay at home and which prohibits gatherings with people from other households except for permitted exceptions, including where the "gathering is reasonably necessary .... for work purposes"

2 December 2020: England is divided again into three tiers, with London in Tier 2 in which gatherings of two or more persons continue to be prohibited unless an exception, such as where the gathering is reasonably necessary for work purposes, applies. Government guidance for the Christmas period on visiting pubs and restaurants advises: "although there are exemptions for work purposes, you must not

have a work Christmas lunch or party, where that is a primarily social activity and is not otherwise permitted by the rules in your tier.”

16 December 2020: London is moved to Tier 3. Indoor gatherings of two or more persons from different households continue to be prohibited. Social distancing remains the rule at work, with offices advised “to maintain social distancing guidelines (2m, or 1m with risk mitigation where 2m is not viable), wherever possible, including while arriving at and departing from work, while in work and when travelling between sites”.

20 December 2020: London is moved to a newly-created Tier 4 with much of South East England, to help control the Alpha variant. The “stay at home restrictions” prohibit leaving one’s home except for permitted purposes

6 January 2021: All areas of England are moved into Tier 4’s stay at home restrictions. This is the third national lockdown. The stay at home restrictions prohibit leaving one’s home except for permitted exceptions which include where it is “reasonably necessary .... for the purposes of work” and where it is not reasonably possible to work from home

29 March 2021: All areas of England move to Step 1 and the “stay at home restrictions” are lifted. Gatherings of two or more persons indoors or more than six persons outdoors are prohibited, subject to exceptions which include where a gathering is “reasonably necessary... for work purposes”

12 April 2021: All of England moves to Step 2. Non essential retail businesses and many outdoor venues reopen but the restrictions on social mixing indoors and outdoors do not change

17 May 2021: All of England moves to Step 3, permitting six persons or two households to mix indoors and up to 30 people to mix outdoors

